

Berry

FILED

## UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America

v.

Richard Ryan VETTER

Case No. MD:14-MJ-331

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY *[Signature]*

DEPUTY

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 17, 2014 in the county of Midland/Ector in the  
Western District of Texas, the defendant(s) violated:

Code Section	Offense Description
18 USC 2422 (B) Coercion and enticement	Whoever, using the mail or any facility or means of interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States knowingly persuades, induces, entices or coerces any individual who has not attained the age of 18 years, to engage in prostitution or any sexual activity for which any person can be charged with a criminal offense, or attempts to do so, shall be fined under this title and imprisoned not less than 10 years or for life.

This criminal complaint is based on these facts:

See attached affidavit

 Continued on the attached sheet.  
Complainant's signature

Eddie S. Pacheco Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 07/31/2014  
Judge's signatureCity and state: Midland, TexasDavid Counts United States Magistrate Judge  
Printed name and title

AFFIDAVIT

I, Eddie S. Pacheco, being duly sworn hereby depose and state as follows:

Your affiant is a Special Agent with the Department of Homeland Security. I am currently assigned to the Homeland Security Investigations (HSI) office in Midland, Texas. I have learned from direct participation in the investigation and from the reports and communications of other agents the facts recited herein.

Beginning on or about May 17, 2014, Richard Ryan VETTER, a 34 year old adult male, did contact a 13 year old female via social media chat room and initiated an online relationship. The relationship escalated to sexual relationship which included sexual intercourse and the exchanging of sexually explicit photographs between the two via electronic media.

On July 28, 2014, the Midland Police Department initiated an investigation into VETTER which began as a missing persons report. The mother of the 13 year old female noticed that her daughter was not at home during the earlier morning hours. The mother soon learned that her daughter had been engaging in a sexual relationship with an older male, later identified as Richard Ryan VETTER.

The 13 year old female returned home later that morning and made an outcry to investigators with the Midland Police Department and reported that she had sexual intercourse with VETTER at his residence in Odessa. The 13 year old female was taken to the Midland Memorial Emergency Room and a Sexual Assault Examination was conducted. The 13 year old female reported that she had vaginal, anal and oral intercourse with VETTER. The examination performed on the 13 year old female revealed vaginal discharge, redness and tearing around the anus. VETTER was arrested and charged with Continuous Sexual Abuse to a Child by the Midland Police Department.

During a post Miranda interview, VETTER admitted to investigators with the Midland Police Department that he had begun a relationship with the victim via a social media chat room known as MOCO. VETTER admitted that he and the victim continued their on line relationship on the Kik application and also admitting to engaging in sexual intercourse with her. VETTER admitted that he knew the victim was a minor.

Prior to VETTER'S arrest, the 13 year old female victim had created a fictitious profile of another 13 year old female on social media in an attempt to test VETTER'S commitment to their relationship. VETTER engaged in an online relationship with who he believed was a second 13 year old female but in actuality was the 13 year old victim with whom he was already engaged in a sexual relationship. VETTER directed the fictitious 13 year old female to continue their on line relationship on the social media application known as Kik. Kik is a peer to peer media application which allows for private conversation.

The following are excerpts of VETTER'S comments taken from the conversations between VETTER and the fictitious 13 year old female beginning on July 3, 2014, through July 7, 2014 on the Kik application:

"I don't sext. I like the real sex better", "I have a long tongue", "when are you wanting to do all this", "show me some more pics", "what do you like the most about sex?", "have you ever had multiple partners at the same time", "You have a favorite position?", "Do you like giving blow jobs?".

VETTER also asked the 13 year old female "what's the oldest you've dated" to which she replied "16". The 13 year old female asked VETTER "What's the youngest you've dated" and VETTER replied "13". VETTER asked the 13 year old female "How old are you" and the 13 year old female replied "13".

The 13 year old female asked VETTER how long was the longest relationship he had ever been involved in and VETTER replied "My longest was 6 years". The 13 year old female asked VETTER "6 years but aren't you 17" and VETTER replied "Yup".

Assistant United States Attorney (AUSA) Austin Berry was informed of the circumstances regarding this investigation. AUSA Berry approved the charge of Title 18 United States Code Section 2422 (b); Coercion and enticement.

Based on the foregoing, your affiant submits that probable cause exists to believe that Richard Ryan VETTER is in violation of Title 18 United States Code Section 2422 (b) Coercion and enticement of a minor.

FURTHER AFFIANT SAYETH NAUGHT



Special Agent Eddie S. Pacheco  
Homeland Security Investigations

Sworn to and subscribed before me this 31<sup>st</sup>  
day of July, 2014.

  
United States Magistrate Judge